

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KIRK ARDELL SJODIN, JR.,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

Case No. 1:23-cv-00454-SAB

ORDER DENYING APPLICATION TO
PROCEED IN FORMA PAUPERIS
WITHOUT PREJUDICE AND REQUIRING
PLAINTIFF TO FILE AN AMENDED
APPLICATION WITHIN THIRTY DAYS

(ECF No. 2)

Plaintiff Kirk Ardell Sjodin, Jr. ("Plaintiff"), currently incarcerated at the Purgatory Correctional Facility in Hurricane, Utah and proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) Along with the complaint, Plaintiff filed an application to proceed without prepayment of fees in this action. (ECF No. 2.) However, Plaintiff's application is not properly completed. Plaintiff does not write in a response to question number one, and Plaintiff does not attach a certified account statement to his application as required. Therefore, the Court is unable to determine if Plaintiff is entitled to proceed without prepayment of fees in this action as the application is not complete.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is DENIED without prejudice;
2. The Clerk of the Court is DIRECTED to provide Plaintiff a new application to

1 proceed without prepayment of fees (AO 240) form;

- 2 3. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file an
3 application to proceed *in forma pauperis* which includes a certified copy of his trust
4 account statement showing transactions for the past six months; and
5 4. Failure to file a complete application to proceed *in forma pauperis* in compliance
6 with this order will result in the recommendation that this action be dismissed.

7
8 IT IS SO ORDERED.

9 Dated: **March 27, 2023**


UNITED STATES MAGISTRATE JUDGE